

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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Chairman Tim Schram called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present and Commissioner Rod Johnson excused. Chairman Schram stated that a copy of the Nebraska Open Meetings Act is posted in the meeting room and invited the public to address the Commission. No public comments were received. Chairman Schram announced that next week's Commission Meeting will be held on Wednesday, September 7, 2016.

GENERAL ADMINISTRATION

Notice was duly published August 23, 2016 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on August 30, 2016 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, August 30, 2016:

1:30 Commission Hearing Room, Lincoln
NUSF-32.15 In the Matter of the Commission, on its own motion, seeking to conduct an inquiry into the failure by certain telecommunications companies to comply with Commission Rules or Orders and to impose administrative fines. Commissioner Frank Landis presiding as Hearing Officer.

Wednesday, September 7, 2016:

10:00 Commission Hearing Room, Lincoln
Commission Meeting

COMMUNICATIONS DEPARTMENT

C-3206 In the Matter of the Commission, on its own motion, to administer the Nebraska Internet Enhancement Fund: Motion made by Commissioner Jerry Vap, seconded by Commissioner Crystal Rhoades, to enter an order setting a grant schedule. Motion passed with Commissioners Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE, and Commissioner Rod Johnson excused not voting. Commissioner Rod Johnson joined at 10:02 a.m.

C-4853 In the Matter of the Application of inContact, Inc., Sandy, Utah, seeking a transfer of control to NICE Systems, Inc., Paramus, New Jersey: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

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COMMUNICATIONS DEPARTMENT (Cont.)

C-4854 In the Matter of the Application of Mike Ingram, Upland, seeking authority to receive advanced telecommunications service from the Blue Hill Exchange of the Glenwood Telephone Membership Corporation: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

C-4857 In the Matter of the Application of Inmate Calling Solutions, LLC d/b/a ICSolutions, San Antonio, Texas, seeking authority to issue collateralized guaranties of long-term indebtedness and to transfer control: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

C-4859 In the Matter of the Joint Application of UPN Intermediate Holdings, LLC, Kansas City, Missouri, and Cox Communications, Inc., Omaha, Nebraska, seeking authority for Cox Communications, Inc., to acquire controlling interest in Unite Private Networks, LLC: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

AD-624r In the Matter of the Application of Target Marketing USA, Inc., Mission Viejo, California, seeking authority to register the connection of an automatic dialing-announcing device in California; and

AD-625r In the Matter of the Application of Target Marketing USA, Inc., Mission Viejo, California, seeking authority to register the connection of an automatic dialing-announcing device in Florida: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter orders granting applications AD-624r and AD-625r. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

Cullen Robbins discussed TRS Late-Filed Carrier Remittances: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, that waivers be issued to DishNet Wireline, LLC; Garmin USA, Inc.; and Star2Star Communications, LLC. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

Cullen Robbins reported on the Nebraska 811 Board of Directors Meeting, held in Omaha on August 18, 2016.

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TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-1 PO #7 In the Matter of the Commission, on its own motion, seeking to establish guidelines for administration of the Nebraska Universal Service Fund: Nebraska Technology and Telecommunications (IXC and CLEC). Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to accept the Agreed Upon Procedure language as presented. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-92.44 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program: Application to the Nebraska Broadband Program received as a RLEC Joint Application from: Arlington Telephone Company, Blair Telephone Company, Eastern Nebraska Telephone Company, Rock County Telephone Company, HunTel CableVision, Consolidated Telephone Company, Consolidated Telco, Inc., Consolidated Telecom, Inc., The Curtis Telephone Company, Hamilton Telecommunications, Nebraska Central Telephone Company, Northeast Nebraska Telephone Company and Three River Telco/Adoption; and

NUSF-92.49 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program: Application to the Nebraska Broadband Program received from: Allo Communications, LLC and Lincoln Public Schools: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to grant the applications in Dockets NUSF-92.44 and NUSF-92.49. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-92.45 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer the Nebraska Universal Service Fund's Broadband Program: Application to the Nebraska Broadband Program received from: Cox Nebraska Telcom, LLC/Adoption. No motion made.

RULES AND REGULATIONS

Rule and Regulation #196 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 13, Modular Housing Unit Construction Rules and Regulations, to adopt the 2015 editions of applicable code books and update related provisions, remove rules regarding alternating tread devices, and update language regarding engineering service fees. Commissioner Tim Schram presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order releasing second set of proposed rules, seeking comment and notice of hearing. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

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RULES AND REGULATIONS (Cont.)

Rule and In the Matter of the Nebraska Public Service Commission, on Regulation its own motion, seeking to amend Title 291, Chapter 11, #197 Automatic Dialing-Announcing Devices Rules and Regulations, to review the rules and update and clarify provisions of the rules. Commissioner Tim Schram presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Crystal Rhoades, to enter a notice of hearing. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

Nichole Mulcahy reported to the Commission that Rule and Regulation #195, which amended Title 291, Chapter 8, Grain Warehouses, was approved and will be effective August 27, 2016.

TRANSPORTATION DEPARTMENT

B-1379 In the Matter of the Application of Rural/Metro Alternative Transportation Services, Omaha, seeking revocation and cancellation of the common carrier certificate in B-1379: Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an order cancelling the certificate. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

B-1925 In the Matter of the Application of Kelly DeSive, O'Neill, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by sedan between points in Holt and Boyd counties, and between points in said counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

M-14229 In the Matter of the Application of NST Holdings, LLC, Supp. 1 d/b/a Aardvark Moving Company, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of household goods between all points in Nebraska over irregular routes: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

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GENERAL ADMINISTRATION

Chairman Schram invited the public to address the Commission. No public comments were received.

Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to approve the Executive Director's recommendation to approve Commission invoices. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

State Accounting-Network Service Charges	\$	3,455.93
Hewlett Packard		857.83
Gerald Vap		761.40

The meeting adjourned at 10:17 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held on September 7, 2016 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on September 6, 2016.



Chairman



Executive Director

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